

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff

-against-

BRIAN COLL,

Defendant.

15 Cr. 360 (LAP)

ORDER

BRIAN COLL,

Plaintiff

19 Civ. 6526 (LAP)

-against-

UNITED STATES OF AMERICA,

Defendant.

ORDER

LORETTA A. PRESKA, Senior United States District Judge:

On June 16, 2022, the Court denied Mr. Coll's petition to vacate his conviction pursuant to 28 U.S.C. § 2255. (Dkt. no. 194 in 15-cr-360.) On June 30, 2022, Mr. Coll moved this Court for appointment of counsel to appeal the denial of the 2255 petition. (Dkt. no. 195.) On July 1, 2022, the Court (1) clarified that no certificate of appealability of the Court's June 16 Order shall issue pursuant to 28 U.S.C. § 2253(c) because Mr. Coll failed to make a substantial showing of the denial of a constitutional right and (2) denied the motion for appointment of counsel pursuant to 28 U.S.C. § 1915(a)(3) because any appeal from the June 16 Order would not be taken in good faith.

On August 22, 2022, Mr. Coll moved for a certificate of appealability from the June 16 Order. (Dkt. no. 197.) The motion is denied. No certificate of appealability from this Court shall issue because Mr. Coll has failed to make a substantial showing of the denial of a constitutional right pursuant to 28 U.S.C. § 2253(c).

The Clerk of the Court shall mark dkt. no. 197 as closed and shall mail a copy of this order to Mr. Coll at his last known address:

Brian Coll  
Inmate No. 72289-054  
Federal Correctional Institution - Sheridan  
PO Box 5000  
Sheridan, OR 97378

**SO ORDERED.**

Dated: New York, New York  
August 24, 2022



LORETTA A. PRESKA  
Senior United States District Judge